
DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled THERAPEUTIC CANCER VACCINE; the specification of which entered the US National Phase on October 11, 2005 as Application Serial No. 10/553,078 and was amended therein by preliminary amendment.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.: 60/461,803

Filing Date: April 11, 2003

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

Priority
Claimed

No.: PA 2003 00572

Country: DK

Date Filed: 04/11/2003

Yes

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application listed below, and insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S.A. Application

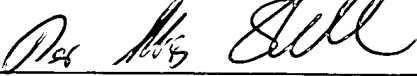
Application No.: PCT/DK2004/000259

Filing Date: 04/07/2004

Status: Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Per Thor Straten

Inventor's signature 

Date May 8th, 2006

Residence: Catherine Booths Vej 17, 2650 Hvidovre, Denmark

Citizenship: Danish

Mailing Address: Same as above

Full name of second inventor: Mads Hald Andersen

Inventor's signature 

Date May 25th, 2006

Residence: Esthersvej 27, st.tv., 2900 Hellerup, Denmark

Citizenship: Danish

Mailing Address: Same as above.

Send Correspondence To:
KNOBBE, MARTENS, OLSON & BEAR, LLP
Customer No. 20,995

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Per Thor Straten et al.)
)
App. No.	:	10/553,078)
)
Filed	:	October 11, 2005)
)
For	:	THERAPEUTIC CANCER VACCINE)
)
Examiner	:	Unknown)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to Kræftens Bekæmpelse is attached hereto. A true copy of the original Assignment from Kræftens Bekæmpelse to the Assignee is also attached hereto. These Assignments represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected

App. No. : 10/553,078
Filed : October 11, 2005

herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Survac ApS

Dated: May 19, 2006

By: 

Name: Dr. Wolfgang Strittmatter

Title: Survac authorized board member

Address: Heyerstr. 16,

64372 Ober-Ramstadt, Germany

2500980
040506

ASSIGNMENT

WHEREAS, We, Per Thor Straten, a Danish citizen, residing at Catherine Booths Vej 17, 2650 Hvidovre, Denmark, and Mads Hald Andersen, a Danish citizen, residing at Esthersvej 27, st.tv., 2900 Hellerup, Denmark, have invented certain new and useful improvements in a THERAPEUTIC CANCER VACCINE for which we have filed an application for Letters Patent in the United States, Application No. 10/553,078, filed on October 11, 2005, which is a U.S. national phase application under 35 U.S.C. §371 based on PCT/DK2004/000259, filed April 7, 2004, which claims priority to both PA200300572, filed April 11, 2003 and U.S. Application No. 60/461,803, filed April 11, 2003;

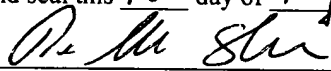
AND WHEREAS, Kraeftens Bekaempelse (hereinafter "ASSIGNEE"), a Danish Corporation, with its principal place of business at Strandboulevarden 49, 2100 Copenhagen Ø, Denmark, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in return for good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

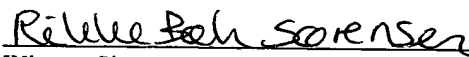
AND WE DO HEREBY sell, assign, transfer, and convey to ASSIGNEE, his successors, legal representatives, and assigns all claims for damages and all remedies arising out of any violation of the rights assigned hereby that may have accrued prior to the date of assignment to ASSIGNEE, or may accrue hereafter, including, but not limited to, the right to sue for, collect, and retain damages for past infringements of the said Letters Patent before or after issuance.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ten day of May, 2006

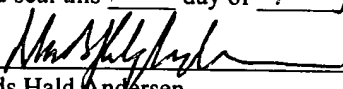


Per Thor Straten



Witness Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this ten day of May, 2006



Mads Hald Andersen

Application No.: 10/553,078
Filing Date: October 11, 2005

PATENT
Client Code: HOIB1.001APC
Page 2

2382435/021606/soc

Witness Signature

derek Jonassen

X

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Do Not Record

ASSIGNMENT

We, the assignors

Kræftens Bekæmpelse
Strandboulevarden 49
2100 Copenhagen Ø
Denmark

hereby declare that we assign all rights concerning PCT-application

No. PCT/DK2004/000259

including the right to apply for and obtain national/regional patents based on this international patent application,

Title: "Therapeutic Cancer Vaccine"

to the assignee:

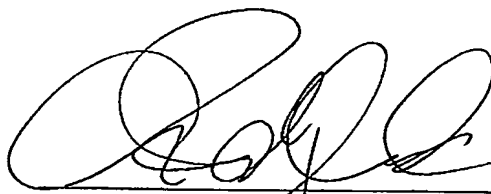
Survac ApS
Esthersvej 27, st. tv.
2900 Hellerup
Denmark

Survac ApS will hereinafter be fully liable for any costs and obligations concerning this patent application.

Place and date:

Signature:

Copenhagen, September 20, 2005


Kræftens Bekæmpelse

OVERDRAGELSE

Vi

Kræftens Bekæmpelse
Strandboulevarden 49
DK-2100 København Ø
Danmark

erklærer herved, at vi overdrager alle rettigheder, herunder retten til at kræve prioritet, vedrørende dansk patentansøgning nr. PA 2003 00572, indleveret den 11. april 2003

Med titlen: "Therapeutic Cancer Vaccine"

til

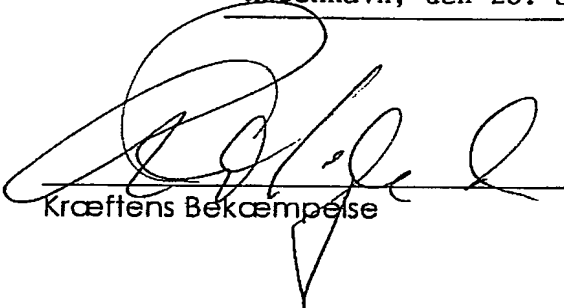
Survac ApS
Esthersvej 27, st. tv.
2900 Hellerup
Danmark

Survac ApS påtager sig herefter alle omkostninger og forpligtelser relateret til nævnte patentansøgning.

Sted og dato:

København, den 20. september 2005

Underskrift:


Kræftens Bekæmpelse

COPY

Attorney Docket No. _____

Joint Invention
(U.S. Rights only)

ASSIGNMENT

WHEREAS we, the undersigned, KRÆFTENS BEKÆMPELSE, having a place of business at Strandboulevarden 49, 2100 Copenhagen Ø, DENMARK (hereinafter referred to as the "Assignors"), own all of an invention entitled:

"Therapeutic Cancer Vaccine"

described and/or claimed in:

Provisional Patent Application No. 60/461,803, filed on April 11, 2003,

and

WHEREAS, SURVAC ApS (the "Assignee"), having a place of business at Esthersvej 27, st. tv., 2900 Hellerup, DENMARK, (hereinafter referred to as Assignee), is desirous of securing the entire right, title, and interest in and to this invention, the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from assignee is hereby acknowledged, we, as assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the assignee, its lawful successors and assigns, our entire right, title and interest in and to this invention and this application, and all divisions, and continuations thereof, and all Letters Patents of the United States which may be granted thereon, and all reissues thereof, including an assignment of all rights under the provision of international conventions; and we hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue all Letters Patents for this invention to assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY further covenant and agree that we will, without further consideration, communicate with assignee, its successors and assigns, any facts known to us respecting this invention and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver all papers that may be necessary or desirable to perfect the title to this invention to assignee, its successors and assigns, execute all divisional, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States, it being understood that any expense incident to the execution of such papers shall be borne by the assignee, its successors and assigns.

COPY

AND, WE HEREBY grant the attorneys BROWDY and NEIMARK, 624 9th Street NorthWest, Suite 300, Washington DC 20001-5303, U.S.A., a delegable power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office or any foreign patent office for recordation of this document.
Further, Survac ApS will hereinafter be fully liable for any costs and obligations concerning this patent application.

IN TESTIMONY WHEREOF, We have hereunto set our hands:

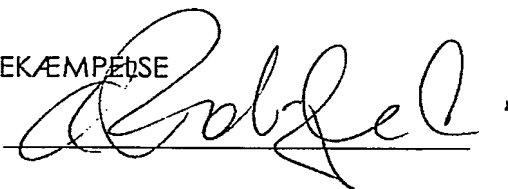
Place and date:

Copenhagen, September 20, 2005

Assignor:

KRÆFTENS BEKÆMPELSE

By:



Title:

Managing Director

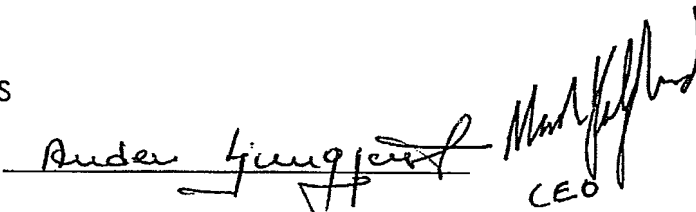
Place and date:

HORSHOLM, SEPTEMBER 22, 2005

Assignee:

SURVAC ApS

By:


CEO

Title:

CHAIRMAN OF THE BOARD

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